

REMARKS

Applicant submits that the present amendment is fully responsive to the Office Action dated May 23, 2008 and, thus, the application is in condition for allowance.

By this reply, no claims are amended. Claims 1 through 30 remain pending. Of these, amended claims 1, 7, 9, 15, 17, 20, 23, 25, and 28 are independent.

In the outstanding Office Action, claims 5 and 13 were objected to for being of improper dependent form for failing to limit the subject matter of a previous claim. Applicant respectfully traverses and holds that the subject of the stated dependent claim is not inherently or intrinsically defined or stated within the body of the independent claims from which they depend. Each of these dependent claims recites a pairing code specific to the wireless device, which is more specific and limiting of the broader independent claims from which they depend. In the independent claims of question, the pairing code does not have to be specific to the respective wireless device. Thus, claims 5 and 13 are more limiting of the independent claims from which they depend. An expedited review and allowance of the application is respectfully requested.

In the outstanding Office Action, claims 7, 17-18, 28 and 30 were rejected under 35 U.S.C. 102(b) as being anticipated by Thomas et al. (U.S. Patent Application No. 2002/0065663). It is asserted that Thomas discloses the devices and methods for pairing wireless devices claimed by applicant in the present invention. Applicant respectfully traverses.

Thomas does not teach the present invention as recited in the pending claims. For example, Thomas does not teach a wireless device including a processor, a microphone coupled to the processor, and logic which, in communication with the processor, converts signals produced by the microphone into control signals to effect pairing of the wireless device with a second wireless device. Because Thomas does not teach these elements as recited, Thomas

cannot anticipate the present claims. Thus, the rejection should be withdrawn and the claims allowed to issue.

With respect to claim 28, it is asserted that Thomas recites a first wireless device converting pairing information for a second wireless device into audible signals, the first wireless device communicating the audible signals to a human, the human providing puts corresponding to the audible signals to the second wireless device, the second wireless device converting the inputs into control signals, and the second wireless device applying the control signals to effect pairing with the first wireless device. Applicant respectfully traverses.

Thomas does not disclose a method for secure communication between wireless devices. The pairing information in Applicant's invention is not merely a network addresses as is disclosed in Thomas. Applicant's invention teaches a method wherein a subscriber is prompted to input a series of codes into a second wireless device such that the devices are paired in a secure wireless session. On the other hand, Thomas discloses a method where a user of a device repeats the network address of the device to a second device thereby facilitating communication over a public network. Since Thomas does not disclose a method for secure communication between wireless devices, Thomas cannot anticipate claim 28.

Additionally, Thomas does not disclose a pairing code specific to the wireless device as the Examiner stated. The pairing code in applicant's invention is not a network or IP address that is freely available to other devices on or off the network. Additionally, claim 30 is dependent on independent claim 28. Since the examiner has failed to disclose or suggest how Thomas encompasses all limitations of claim 28, Thomas cannot anticipate the claims

Thus, claim 30 should be allowed.

In the outstanding Office Actions, claims 1-3, 5, 9-11 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Thomas in view of Silvester et al. (U.S. Pat. Publ. 2002/0065663). Additionally, claim 29 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Thomas in view of Cannon et al. (U.S. Patent No. 7,155,163), and claims 4 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Thomas in view of Silvester and further in view of Cannon. Applicant respectfully traverses.

With respect to claims 3 and 9, it is asserted that Thomas teaches all of the limitations of the present invention as recited in the claims but for a process that synchronizes acts defined by the pairing operation with the audible signals. Further, it is alleged that Silvester does disclose this process and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references. Applicant respectfully traverses.

Neither Thomas, Silvester, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. For example, neither Thomas nor Silvester teach or fairly disclose logic which, in communication with a processor, synchronizes the applications of the control signals with pairing of wireless devices as disclosed in applicant's invention. Thomas does not specifically suggest that the output of an audio signal is synchronized with pairing information. As stated previously, Thomas does not even disclose a secure means for communication between wireless devices. Thomas makes no reference whatsoever to any security features of their "pairing process." Where in applicants claimed invention the pairing results in a direct private secure communication, Thomas provides only for communication over the public internet (Thomas, Fig. 1, ¶19-22). Since Thomas does not disclose a pairing process involving authentication or encryption information, Thomas does not teach a system or method for secure pairing of wireless devices.

Additionally, Silvester does not disclose logic which, in communication with a processor, synchronizes acts such as the application of control signals with the pairing information for a wireless device. Applicant's invention discloses a synchronization process where a first device may perform acts to begin the pairing process and signal a second device to perform acts that begin the pairing process for the second device. The second device in turn signals the first device to perform additional acts to pair the devices, and so on (spec, ¶37).

Since Thomas does not teach a system or method for secure pairing of wireless devices and Silvester does not teach a system or method to synchronize the pairing process, the combination offers no suggestion or motivation to combine the references to encompass the elements of claims 3 and 9. Additionally, because claims 12, 20 (the first claim 20), 22, and 24 contain subject matter similar to claims 3 and 9, these claims are not obvious for the above reasons.

Neither Thomas, Cannon, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the claims. With regard to claims 4 and 29, Cannon does not disclose a pairing code common to a particular model of wireless device. At best, Cannon teaches that the same pairing code may be applied to multiple devices. (Cannon, Col. 5 lines 12-20). However, Cannon makes no reference to a pairing code common to a particular model of wireless device. Additionally, Claim 4 depends on independent claim 1. For the reasons given above, Thomas does not teach all the limitations of claim 1 as asserted by the examiner. Further, the examiner has failed to indicate how Cannon discloses or suggests any of the missing limitations in claim 1. Similarly, Claim 29 depends on independent claim 28. For reasons given above, Thomas does not teach all the limitations of claim 28 as asserted by the examiner. Further, the examiner has failed to indicate how Cannon discloses or suggests any of

the missing limitations in claim 28. For this reason, the combination of Thomas and Cannon does not teach all the limitations of dependent claims 4 and 29.

In the outstanding Office Actions, claims 6 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Thomas in view of Silvester in view of Haller (U.S. Pat. No. 6,845,097). Additionally, claims 8, 15-16 and 19-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Thomas in view of Haller. Applicant respectfully traverses.

With respect to claim 6, it is asserted that although Thomas does not teach that the audio information corresponds to DTMF tones, Haller recites device pairing codes in the form of DTMF tones. Applicant respectfully traverses.

Since Thomas does not teach a system or method for secure pairing of wireless devices, the combination offers no suggestion of motivation to combine the references to encompass the elements of claim 6. Because the references are from a different field of endeavor, it would not have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Thomas with the use of DTMF tones taught by Haller. Additionally, because claim 15 contains subject matter similar to claim 6, claim 15 is not obvious for the above reasons.

With respect to claim 14, it is asserted that Thomas discloses a pairing code specific to the wireless device. Applicant respectfully traverses. The pairing code in applicant's invention is a unique authenticator for security purposes. The device-specific address disclosed in Thomas is merely an identifier for the location of a device. This network address can be accessed by any nearby device wirelessly, or any other device on a network capable of communication with the device having the network address. There is no security measure involved in having a device-specific address for a device. The pairing code in applicant's invention is not generally visible, and can be generic or specified by a user and is usually part of the pairing information (spec ¶7,

35-36). Neither Thomas, Silvester, Haller, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the claims. Claim 14 depends on claim 10. For the reasons given above, Thomas does not teach all the limitations of claim 10 as asserted by the examiner. Further, the Examiner has failed to indicate how Silvester or Haller disclose or suggest any of the missing limitations in claim 10. For this reason, the combination of Thomas and Silvester and Haller does not teach all the limitations of dependent claim 14.

With respect to independent claim 16, it is asserted that Thomas recites a microphone, a processor, and logic which, when applied to the processor, converts signals produced by the microphone into control signals, and applies the control signals to effect pairing of the wireless device with another device. It is asserted that although Thomas does not specifically suggest that speech signals are applied to a network to affect device pairing, Haller recites a network server that receives a pairing request in the form of speech, recognizes the pairing request, and sends a pairing message to a wireless device. Applicant respectfully traverses.

Neither Thomas nor Haller nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the claims. For the reasons given above, Thomas does not teach all the limitations of claim 16 as asserted by the examiner. Thomas does not teach logic that converts pairing information into speech signals and communicating the speech signals to a network. At most, Thomas teaches logic that converts an IP or network address of a device into audible signals, or logic that converts an audible numeric IP or network address into a control signal. These network addresses are not “pairing information.” Similarly, Haller does not disclose logic that converts pairing information for a wireless device into audible signals. Since Thomas does not teach a system or method for secure

pairing of wireless devices, the combination offers no suggestion of motivation to combine the references to encompass all the limitations of claim 16. Additionally, claims 20 (second claim 20), 23, and 25 contain subject matter similar to claims 10 and 16, and are thus not obvious for the above reasons. Additionally, since claim 21 is dependent on independent claim 20, it is not obvious. Similarly, since claim 26 is dependent on independent claim 25, and claim 27 is dependent on claim 26, these claims are also not obvious. For the reasons given above, Thomas does not teach the limitations of claims 20 and 25 as asserted by the examiner.

A THREE (3) month extension of time is hereby requested to enter this amendment. If any other fees are associated with the entering and consideration of this amendment, please charge such fees to our Deposit Account 50-2882.

Applicant respectfully requests an interview with the Examiner to present more evidence of the unique attributes of the present invention in person. As all of the outstanding rejections have been traversed and all of the claims are believed to be in condition for allowance, Applicant respectfully requests issuance of a Notice of Allowance. If the undersigned attorney can assist in any matters regarding examination of this application, Examiner is encouraged to call at the number listed below.

Respectfully submitted,

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